

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GIACOMO LAMPARELLI,

Plaintiff,

-v-

JAMES MANZELLO et al.,

Defendants.
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22-CV-5604 (JMF)

ORDER

JESSE M. FURMAN, United States District Judge:

On December 5, 2022, Defendants filed two motions to dismiss the operative complaint under Rule 12(b) of the Federal Rules of Civil Procedure. *See* ECF Nos. 29 and 33. Under Rule 15(a)(1)(B), a plaintiff has twenty-one (21) days after the service of a motion under Rule 12(b) to amend the complaint once as a matter of course.


Accordingly, it is hereby ORDERED that Plaintiff shall file any amended complaint by **December 27, 2022**. Pursuant to Paragraph 1.B. of the Court's Individual Rules and Practices in Civil Cases, available at <https://nysd.uscourts.gov/hon-jesse-m-furman>, any amended complaint should be filed with a redline showing all differences between the original and revised filing. Plaintiff will not be given any further opportunity to amend the complaint to address issues raised by the motions to dismiss.

If Plaintiff does amend, by three (3) weeks after the amended complaint is filed, each Defendant shall: (1) file an answer; (2) file a new motion to dismiss; or (3) file a letter on ECF stating that he relies on his previously filed motion to dismiss. If a Defendant files an answer or a new motion to dismiss, the Court will deny his previously filed motion to dismiss as moot. If a Defendant files a new motion to dismiss, any opposition shall be filed within fourteen days, and any reply shall be filed within seven days of any opposition.

If no amended complaint is filed, Plaintiff shall file any opposition to the motions to dismiss — in the form of a single, consolidated memorandum of law, not to exceed 25 pages — by **December 27, 2022**. Each Defendant's reply, if any, shall be filed by **January 6, 2023**.

SO ORDERED.

Dated: December 6, 2022
New York, New York



JESSE M. FURMAN
United States District Judge